

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

**Request for Modifying the Conditions or Term of Supervision with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Ty Gerard Garbin

Case Number: 1:20CR00183-03

Name of Sentencing Judicial Officer: The Honorable Robert J. Jonker
U.S. District Judge

Date of Original Sentence: August 25, 2021

Original Offense: Conspiracy to Kidnap; 18 U.S.C. § 1201(c)

Original Sentence: 75 months imprisonment and 3 years supervised release. Special Conditions: (1) financial disclosure; (2) computer/internet capable devices preapproval; (3) social media accounts disclosure; (4) person, property, house, residence, vehicle, papers, computer search; (5) substance abuse testing/treatment; (6) computer/monitoring program. Special Assessment, \$100.00 (paid). Fine, \$2,500.00 (paid).

Type of Supervision: Supervised Release

Date Supervision Commenced: November 24, 2022

Expiration Date: November 23, 2025

PETITIONING THE COURT

To modify the conditions of supervised release by adding Special Conditions 7, 8, and 9:

7. The defendant shall participate in a program approved by the probation department for mental health counseling, if necessary.
8. The defendant shall submit to a psychological/psychiatric evaluation as directed by the probation officer, if necessary.
9. The defendant shall take all medications as prescribed by a physician whose care he is under, including a psychiatrist, in the dosages and at the times proposed. If the defendant is prescribed a medication, he shall take it, and the defendant shall not discontinue medications against medical advice.

CAUSE

Mr. Garbin commenced supervised release on November 24, 2022, in the Eastern District of Michigan, following their acceptance of his supervision on November 3, 2022.

The U.S. Probation Office for the Eastern District of Michigan referred Mr. Garbin to a substance abuse assessment, and it was recommended by the therapist Mr. Garbin complete a psychological evaluation following their assessment to prescribe him with psych medications. The following conditions have been requested by the supervising officer to effectively supervise Mr. Garbin in the community. The requested conditions appear reasonable and not more restrictive than necessary to accomplish the goals of supervised release.

Previous Violations

- None.

U.S. Probation Officer Action:

The Garbin agreed to the proposed modification and executed a Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release, which is attached for the Court's review.

Approved,

Respectfully submitted,

by /s/ Scott M. Lopofsky
Scott M. Lopofsky
Supervisory U.S. Probation Officer
Date: November 28, 2023

by /s/ Calvin M. Owens
Calvon M. Owens
U.S. Probation Officer
Date: November 28, 2023

THE COURT ORDERS:

- ☐ No Action
☒ The Modification of Conditions as Noted Above
☐ Other

/s/ Robert J. Jonker
The Honorable Robert J. Jonker
U.S. District Judge

November 29, 2023
Date

PROB 49
(9/18)

United States District Court

Western District of Michigan

Waiver of Hearing to Modify Conditions of Supervised Release

☒ I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

1. The defendant shall participate in a program approved by the probation department for mental health counseling, if necessary.
2. The defendant shall submit to a psychological/psychiatric evaluation as directed by the probation officer, if necessary.
3. The defendant shall take all medications as prescribed by a physician whose care he is under, including a psychiatrist, in the dosages and at the times proposed. If the defendant is prescribed a medication, he shall take it, and the defendant shall not discontinue medications against medical advice.

Witness



(U.S. Probation Officer)

Signed



(Supervised Releasee)

11/21/2023

(Date)